JUDGE RAKOFF

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DATE FILED: 4/25/16

UNITED STATES DISTRCT COURT
SOUTHERN DISTRICT OF NEW YORK

16 CV 2998

MARSH USA INC. and MARSH & MCLENNAN COMPANIES, INC.,

Plaintiffs,

-against-

ROBERT SCHUHRIEMEN,

Defendant.

Case No.

ORDER TO SHOW CAUSE FOR A PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER

Upon the Summons and Complaint, dated April 22, 2016, the supporting Declarations of A. Michael Weber, Esq., Thomas Seeberg, David Nikolai, Allison Swartz, Renate Bayer, Daniel Peters and Jeffery Rosier, the exhibits annexed thereto, and Plaintiffs' Memorandum of Law in Support of its Motion for a Temporary Restraining Order, a Preliminary Injunction and Expedited Discovery, and pursuant to Federal Rule of Civil Procedure 65, it is hereby:

ORDERED, that Defendant Robert Schuhriemen ("Schuhriemen") show cause before this Court, at Room 14-B, United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, on April 28th, 2016, at 2:00 o'clock in the p.m., or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure:

i. enjoining Schuhriemen and any person or entity acting in concert with him or under his supervision, through March 31, 2017, from soliciting or servicing, or inducing not to place business with Marsh, any clients of Marsh with whom he had contact, or about whom he obtained confidential information, or for whom he was responsible for making (or assisting or supervising the making of) sales to, or performing or providing (or assisting or supervising the performance or provision of) services or products on behalf of, Marsh, during the last two (2) years of his employment;

ii. enjoining Schuhriemen, and any person or entity acting in concert with him or under his supervision, through March 31, 2017, from soliciting, or inducing to not place business with Marsh, any prospective clients of Marsh with whom Schuhriemen had contact or from whom Schuhriemen solicited business on behalf of Marsh during the last two years of his employment;

iii. enjoining Schuhriemen, and any person or entity acting in concert with him or under his supervision, from any other actions in violation of his contractual obligations or duty of loyalty to Marsh; and it is further

ORDERED, that sufficient reason having been shown, pending the hearing of Plaintiffs' application for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, Schuhriemen, and any person or entity acting in concert with him or under his supervision, is temporarily restrained and enjoined from:

i. soliciting or servicing, or inducing not to place business with Marsh, any clients of Marsh with whom he had contact, or about whom he obtained confidential information, or for whom he was responsible for making (or assisting or supervising the making of) sales to, or performing or providing (or assisting or supervising the performance or provision of) services or products on behalf of, Marsh, during the last two (2) years of his employment;

ii. soliciting, or inducing to not place business with Marsh, any prospective clients of Marsh with whom Schuhriemen had contact or from whom Schuhriemen solicited business on behalf of Marsh during the last two years of his employment;

iii. any other actions in violation of his contractual obligations or duty of loyalty to Marsh; and it is further

ORDERED, that the parties shall be permitted to conduct discovery on an expedited basis, commencing April _____, 2016 and ending _________, 2016; and it is further

ORDERED, that service of a copy of this Order upon Defendant by hand or by email before 5:00 p.m. on April 25, 2016 shall be deemed good and sufficient service; and it is further

ORDERED, that answering ~~affidavits~~ papers, if any, must be served by hand or by email on Plaintiffs' attorneys of record in this action no later than 5:00 p.m. on April 25, 2016, and reply affidavits, if any, must be served by hand or by email upon Defendant no later than 5:00 p.m. on 4/26/, 2016.

SO ORDERED:

Dated: April 22, 2016
New York, New York